

Application No: 09/915,179

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Remarks

This response supplements the response dated July 26, 2004. When that response was prepared and filed, the undersigned was not aware of a Preliminary Amendment filed in this application dated December 11, 2001 that was handled by a different attorney. So, when the previous response was prepared, it was with the assumption that such a Preliminary Amendment did not exist. Since, in fact, a prior Preliminary Amendment was filed in this case that altered the form of the claims, this response corrects the prior response to reflect the fact that certain claims had previously been canceled and certain other claims had previously been amended. The oversight is regretted.

With respect to paragraph two of the official action, the Examiner objected to the specification because the Applicant failed to provide the section headings in the different sections of the specification as set forth in 37 CFR 1.77(b). With all due respect to the Examiner, the objection is not well taken. The section cited by the Examiner indicates that a utility patent application "should" include section headings. They are not mandatory. Nevertheless, in the spirit of cooperation, certain subtitles have been added to the application as the Examiner will note by reference to the amendments made to the specification.

Claim 1 has been amended to include the limitations from original claims 5 and 19.

Additionally, original claim 13, previously canceled, has been converted to an independent claim 34.

Additionally, some of the dependencies of the dependent claims have been changed in concert with the changes made to the claims mentioned above.

Turning to the prior art rejections, in paragraph four, the Examiner asserts that the cited references Aichelmann "teaches the claimed method for controlling a magnetoresistive solid state storage device having..." With all due respect to the Examiner, where does Aichelmann teach anything about magnetoresistive solid state storage devices?

The Examiner is reminded, that in order to sustain a rejection under 35 U.S.C. 102, the cited document must teach each and every limitation of the rejected claims. As such, exactly where does Aichelmann teach a magnetoresistive solid state storage device?

As indicated above, claim 1 has been amended to incorporate the limitations from claim 19 which the Examiner has yet to consider.

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With respect to claim 25, the Examiner asserts that its limitations are met by the Examiner's discussion of the rejections directed to claims 1-6, 11-12 and 21-24. However, since Aichelmann apparently teaches nothing with respect to magnetoresistive solid state storage devices, it is not seen how Aichelmann possibly anticipates claim 25.

The next independent claim in the application is claim 32. Claim 32 is rejected as being fully anticipated by Aichelmann. However, where does Aichelmann teach "at least one array of magnetoresistive storage cells" as specifically claimed by claim 32?

Reconsideration of this application as amended is respectfully requested.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

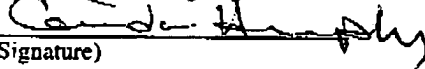
I hereby certify that this correspondence is being sent via facsimile to: 703-872-9306 addressed to Commissioner for Patents PO Box 1450, Alexandria, VA 22313-1450 on

November 1, 2004

(Date of Deposit)

Corinda Humphrey

(Name of Person Signing)



(Signature)

November 1, 2004

(Date)

Respectfully submitted,



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